

From the Selectboard:

A Zoning Bylaw Petition for Popular Vote was recently circulated and will result in a vote on the recently adopted zoning bylaws. As a result of that, we offer the following information in order to clarify the exact changes and how they may impact your property.

First: we wish to emphasize that the main purpose of the November 3 revisions to the Zoning Regulations was to bring those regulations into conformity with the official Town Plan.

Ambiguity and inconsistency between the two documents can, and in some cases already has, led to confusion. In short: the new regulations do not change existing policy: they merely bring the Zoning Regulations (some of which are quite old) into conformity with the official Town Plan.

Referring to specific statements in the Petition:

1. *“The recent changes will impact what you may be able to do on your residential property.”*

Response: This is very vague. In fact ANY zoning rule of any kind “may impact what you may be able to do with your residential property.” In fact the changes made on November 3 were minimal. Probably the most important issue for many residential home owners concerns accessory apartments. Under the new rule “accessory apartments that are subordinate to a principal dwelling” (which is virtually all such apartments belonging to normal home-owners) will still be allowed on all residential properties. PUDs are still allowed albeit with stricter requirements to obtain a density bonus.

2. *“(The recent changes will) restrict the future of most commercial development and make many of our current businesses within the town to become considered “Pre-existing, Non-Conforming and may affect their profitability and viability to grow with the times of to continue in business in our Town.”*

Response: This is incorrect. There were no changes to allowed or conditional uses in any district. . The reduction in the allowed square footage from 60,000 to 30,000 in the Commercial district and to a footprint of 12,000 square feet anywhere else in town **does not make any existing commercial businesses non-conforming**. The average size of commercial buildings in town is less than 8,000 square feet. With the exception of the warehouse in the Commercial District, which is currently 30,000 square feet, the new regulations do not prevent any commercial building in town from expanding. The businesses that currently have parking in the front of the building in the Commercial district will be allowed to continue to park in that location and any future expansion of parking in other areas of a lot will be allowed. This merely clarifies **current** policy as articulated in the Town Plan and brings the zoning rules into line with the Town Plan. The policy is (and has been): any commercial development that **can** be put in one of the village centers should be in the village centers. The Commercial district is intended

for uses that are not appropriate for a Village center (e.g.: industrial uses that involve heavy traffic of large trucks or construction equipment).

3. *“(The recent changes) may also have a very negative impact on the value of your property.”*

Response: There is always a tension between total freedom to do whatever one wants with one’s own land and the community’s interest in preventing activities that could have a deleterious effect on others. We believe that the action taken on November 3 merely clarifies existing policy in the Town Plan. It constitutes a judicious effort to balance these concerns in a manner that maximizes the freedom of landowners to make productive use of their properties without damaging the community values spelled out in the Town Plan. However, this is an ongoing effort. And again, there were no changes to allowed or conditional uses in any zoning district. More on this is noted below.

As many of you know, the Planning Commission is undergoing a separate study of the Commercial District with the intent to implement changes to the Land Use Regulations for this district. The Planning Commission is considering building design standards, changes to allowed uses, and varying building sizes in different areas of the district. The draft regulation is available for view on the Town website (look for the “Commercial District Development Standards Project” on the main page). We urge you to attend an upcoming public workshop that is scheduled for January 17 at 7 pm in the cafeteria of BRMS and any of the Planning Commission meetings to learn more about the project and offer your input to these important issues.

When this effort is complete the PC will be making recommendations to the Select Board for additional modification to the zoning in the Commercial district and the Town Plan regarding these matters.

Finally: While the main intent for the revisions to the Zoning Regulations was to bring the regulations into line with the official Town Plan, some other issues in the Regulations that were either unclear or inconsistent with the vision of the Town were also changed. Listed below are all of the items that were amended.

- The description of the purpose of zoning districts to match the language in the Town Plan.
- A new definition of Green Stormwater Infrastructure.
- The name only of the Agriculture District was changed to the Rural/Agriculture Residential District and the Rural Residential District name only was changed to the Low Density Residential District to mirror the current uses and development in these districts.
- A clarification on how a density bonus is obtained and what bonuses are allowed for Planned Unit Development;
- The term “elderly” was replaced with “senior” throughout, as the terms both used and used interchangeably.

- The Zoning Administrator may now grant a 90-day extension to the recording of a final plat if other permits or approvals are still pending.
- How to calculate the maximum square footage for an accessory apartments and clarification to the definition of “accessory.”
- A clarification on how to handle changes to existing structures in the Riverside Character Based Zoning District.
- A reduction in the maximum allowed square footage for any building in town from 60,000 square feet to a footprint of 12,000 square feet. Exempted from this size are structures in the Commercial District which are now limited to 30,000 square feet, which is the size of the largest building in that district and agricultural structures which have no limitation on size.
- A limit on parking in the Commercial District to the side and rear of a building. This mirrors that requirement already in existence in the Village Centers and Village Zoning District.